



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Foster, Robert A.  
Assignee: Financial Systems Technology Pty. Ltd.  
Title: Data Processing System For Complex Pricing And Transactional Analysis  
Serial No.: 09/535,573 Filing Date: March 27, 2000  
Examiner: Cuong H. Nguyen Group Art Unit: 2165  
Docket No.: M-4540-1C US

San Jose, California  
April 9, 2002

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Adjustment date: 03/21/2003 EEKUBAY1  
04/19/2002 THALL1 00000001 192386 09535573  
01 FC:128 1960.00 CR

RESPONSE TO OFFICE ACTION

Dear Sir:

This responds to the Office Action mailed August 22, 2001 and the Advisory action mailed February 22, 2002.

Applicant thanks the Examiner for the Advisory Action mailed February 22, 2002, which resets the time to respond to the August 22, 2001 Office Action. Since the Examiner has altered the rejections made in the August 22, 2001 Office Action in items 4 and 6 of the Advisory Action, Applicant is treating the February 22, 2002 Advisory Action as a withdrawal of the August 22, 2001 Office Action and an issuance of a new final Office Action.

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Claims 47-86 are rejected under 35 USC section 103(a) as being unpatentable over Claus et al., U.S. Patent 5,559,313, in view of Burt et al., U.S. Patent 5,682,482, further in view of Doktor, U.S. Patent 5,604,899, in view of Rothstein, U.S. Patent 5,636,117, in view

of Claus et al., U.S. Patent 5,559,313, and further in view of Moore et al., U.S. Patent 5,630,127, further in view of the Official Notice. Applicant respectfully traverses.

As Applicant has pointed out, Burt et al. disclose “operational support systems” which includes a plurality of support systems 14, one of which is a financial transaction system 32. Each of the support systems performs specific tasks. (See generally, col. 4, line 65, to col. 5, line 10.) For example, financial transaction system 32 is a support system that handles “financial tasks including charging and booking functions related to services that are provided by the network 10” (col. 5, lines 1-5). Communication among support systems 14 is through an operations gateway 50 which “responds to a predetermined protocol in taking responsibility for functions that need to be accomplished in order to support the providing of services by [a] network 10” (col. 5, lines 12-17). In other words, operations gateway 50 acts as a hub through which all communication must pass.

Financial transaction system 32 includes “a plurality of agent systems [, each] accomplish[ing] one or more of the functions initiated by an agent”, col. 5, lines 55-60. Burt et al. described how an agent system accomplishes, for example, a charging function by stating “connection management agents make sure that the charging agent 244 receives the necessary specific information to rate the resources used by one or more fulfillment agents”, col. 21, lines 55-59. Charging agent 244 is in the connection instance layer which “relates to basic communication transported signalling ... and communicating resources (e.g. operating systems, GUIs, network services, runtime libraries)”, col. 8, lines 23-29. Burt et al do not disclose or suggest a database, contrary to Claim 47, which recites “creating a database.”

In addition, Burt et al. do not disclose or suggest creating any set of related records in a database to allow pricing of a transaction. Hence, no corresponding transaction instance, “production service instant,” and “billing service instance” are created for a transaction. It

follows that Burt et al. also fail to disclose "said production service instance being linked to said transaction instance by a first relation instance" and "said billing service instance being linked to said first production service instance by a second relation instance," as recited in Claim 47, as is acknowledged by the Examiner in the Office Action.

The August 22, 2001 Office Action states "Doktor obviously suggests these above steps (see "'899 Claims 1, 6-7, Figs. 4a-4b, 6b, 10 or, '482, Fig. 5, Col. 30, lines 7-16')." The February 22, 2002 Advisory Action correctly states "Doktor's reference cannot be used as prior art," but that "cited references in the Final Office Action (even not using Doktor's reference) are still obvious to reject the pending claims' limitations." Applicant respectfully disagrees. Applicant can find no teaching of Claim 47's "said production service instance being linked to said transaction instance by a first relation instance" and "said billing service instance being linked to said first production service instance by a second relation instance," in any of the references cited in the Office Action.

Since neither of Burt et al. and Claus et al. teach "creating a transaction instance corresponding to a transaction; creating a first production service instance . . . linked to said transaction instance by a first relation instance; and creating a billing service instance . . . linked to said first production service instance by a second relation instance" as recited in Claim 47, the combination of these references also fails to teach or suggest these limitations of Claim 47. Accordingly, Claim 47 is patentable over the combination of Burt et al. and Claus et al. Claims 48-67 depend from Claim 47 and are therefore allowable for at least the reasons stated for Claim 47.

Independent Claim 68 recites a database data processing system that comprises a means for creating a transaction instance, a means for creating a production service instance, and the linking between the two instances. Thus, Claim 68 is patentable over the combination

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of Burt et al. and Claus et al. Claims 69-86 depend from Claim 68 and are therefore allowable for at least the same reasons.

Claim 55 is rejected under 35 U.S.C. §103(a) as being unpatentable over Burt et al., Doktor, and Claus et al., and further in view of Rothstein (U.S. Patent No. 5,636,117). As set forth above, Claim 47 is allowable over Burt et al. and Claus et al., and Doktor cannot be used to reject Applicant's claims. Rothstein does not cure the previously described deficiencies of Burt et al. and Claus et al. Therefore, Claim 47 is patentable over Rothstein. Claim 55 depends from Claim 47 and is patentable for at least the reasons stated for Claim 47.

Claims 48-51, 58, 69-75, 78, and 83 are rejected under 35 U.S.C. §103(a) as being unpatentable over Burt et al., Doktor, and Claus et al., and further in view of Moore et al. (U.S. patent No. 5,630,127). As set forth above, Claims 47 and 68 are allowable over Burt et al. and Claus et al., and Doktor may not be used to reject Applicant's claims. Moore et al. do not cure the previously described deficiencies of Burt et al. and Claus et al. Therefore, Claims 47 and 68 are patentable over Moore et al. Claims 48-51 and 58 depend from Claim 47 and Claims 69-75, 78, and 83 depend from Claim 68, and are patentable for at least the reasons stated for Claims 47 and 68, respectively.

The August 22, 2001 Office Action states:

[t]he Official Notice is taken here that these following definitions suggested in the claims are well-known:

- an entity instance could be defined as a client instance . . .;
- an entity instance could be defined as a market segment instance . . . .

The Examiner submits that all claimed limitations are inherent/notoriously well-known as instances for pricing transactions always "link" to related objects in computer-related applications, because these claimed limitations are very broad that they are easily recognized by artisan in the art [sic] to be implemented in a computer system via software programs; cited prior art's limitations are not necessary spelled-out exactly claimed languages [sic]."

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The February 22, 2002 Advisory Action states "there should be no need for the use of 'Official Notice' in prior Office actions." Applicant respectfully submits that the Examiner has still failed to provide a reference that teaches a "client instance" and a "market segment instance."

Accordingly, Applicant requests reconsideration and withdrawal of the rejections of Claims 47-86 under 35 U.S.C. §103(a).

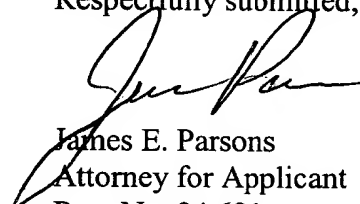
### CONCLUSION

Applicant respectfully submits that Claims 47-86 are now in condition for allowance and respectfully requests allowance of those claims. Should the Examiner have any questions, he is invited to telephone the undersigned at 408-453-9200.

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Respectfully submitted,



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